

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: WELLBUTRIN XL	:	CIVIL ACTION
ANTITRUST LITIGATION	:	
	:	
	:	
	:	
	:	NO. 08-2431 (direct)

ORDER

AND NOW, this 11th day of August, 2011, upon consideration of the Direct Purchaser Plaintiffs' Motion for Class Certification (Docket No. 134), the opposition, reply, sur-reply, supplemental opposition, and supplemental reply thereto, the accompanying expert declarations, the hearing on April 5, 2011, and for the reasons stated in a memorandum of today's date, IT IS HEREBY ORDERED that the motion is GRANTED IN PART AND DENIED IN PART. IT IS FURTHER ORDERED that:

1. The following direct purchaser litigation class is hereby certified pursuant to Federal Rule of Civil Procedure 23(a) and 23(b) (3): "All persons or entities in the United States and its territories who purchased Wellbutrin XL directly from any of the Defendants at any time during the period of November 14, 2005 through August 31, 2009 (the 'Class Period'). Excluded from the class are Defendants and their officers, directors, management, employees, parents, subsidiaries, and affiliates, and federal government entities. Further excluded from the class are persons or entities who have not purchased generic versions of

Wellbutrin XL during the class period after the introduction of generic versions of Wellbutrin XL."

2. Class claims, issues, and defenses are those incorporated into the Court's memorandum of today's date as well as the affirmative defenses raised in the defendants' answers. See Docket Nos. 83, 84.

3. Professional Drug Company, Inc. is hereby appointed representative of the direct purchaser class.

4. The following firms are hereby appointed as counsel to the direct purchaser class:

Co-lead Counsel

Hagens Berman Sobol Shapiro, LLP
Thomas M. Sobol, Esquire
David S. Nalven, Esquire

Berger & Montague, P.C.
David F. Sorenson, Esquire

Liaison Counsel

Rodanast, P.C.
Joseph F. Roda, Esquire
Dianne M. Nast, Esquire
Jennifer S. Snyder, Esquire

Additional Class Counsel

Faruqi & Faruqi, LLP
Peter Kohn, Esquire

Taus, Cebulash, and Landau, LLP
Barry Taus, Esquire
Archana Tamoshounas, Esquire

Don Barrett, P.A.
Don Barrett, Esquire

5. Within 30 days of the date of this Order, the parties shall submit an agreed upon proposed notice program and forms of notice to class members. If the parties are unable to agree as to the proposed notice program and/or forms of notice, they shall submit separate proposals.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.